

16179 U.S. PTO

In re Application of: Olav Borgmeier

For: Magnetically Controlled Pneumatic Spring

Attorney Docket No: 11138-0010

"Express Mail" mailing label number: EV 155783146 US

Date of Deposit: February 10, 2004

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GILSON
& LIONE

UTILITY PATENT APPLICATION TRANSMITTAL

MS PATENT APPLICATION

Commissioner for Patents

U.S. Patent and Trademark Office

P. O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is:

- X A new application under 37 C.F.R. §1.53(b).
- ☐ A ☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) under 37 C.F.R. §1.53(b) of prior application no. _____ / _____.

Prior application information: Examiner: _____ Art Unit: _____

- ☐ Maintenance of copendency of prior application: A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____.

For Continuation or Divisional Applications only: The entire disclosure of the prior application, from which an oath or declaration is supplied as indicated below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

The following application elements and other papers are attached:

- ☒ Specification, including 25 pages of application (including title page, claims and Abstract), 12 sheet(s) of drawings, and the following Appendices:
- ☒ Unsigned Combined Declaration and Power of Attorney (_____ pages)
 - ☐ Newly-executed (original or copy)
 - ☐ Copy from a prior application (37 CFR §1.63(d))
 - ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR §1.53(d)(4). Please DELETE the following inventor(s) named in prior nonprovisional application no: _____.
- ☐ Small Entity Status:
 - ☐ Applicant hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.
 - ☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ / _____ and such status is still proper and desired.
 - ☐ Is no longer desired.
- Fee calculation:

Claims as Filed	Col. 1	Col. 2
For	No. Filed	No. Extra
Basic Fee		
Total Claims	19-20	0
Indep. Claims	2-3	0
Multiple Dependent Claims Present		

*If the difference in col. 1 is less than zero, enter "0" in col. 2.

Small Entity	
Rate	Fee
	\$ 385
x\$9=	\$
x\$43=	\$
+\$145=	\$
Total	\$

Other Than Small Entity	
Rate	Fee
	\$ 770
0x\$18=	\$0.00
0x\$86=	\$0.00
\$290=	\$290.00
Total	\$1,060

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NBC Tower – Suite 3600, 455 N. Cityfront Plaza Drive, Chicago, IL 60611-5599

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10/775414

021004

5. Fee payment :

- ☒ A check in the amount of \$1,060.00 to cover the filing fee is enclosed.
- ☐ Please charge my Deposit Account No. 23-1925 in the amount of \$ _____. A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed.
- ☒ Any additional filing fees required under 37 CFR § 1.16.
- ☒ Any patent application processing fees under 37 CFR §1.17.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed.
- ☒ Any filing fees under 37 CFR § 1.16 for presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR § 1.17.
- ☐ The issue fee set in 37 CFR § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR § 1.311(b).

6. ☐ Certified copy of priority document(s)

☐ is attached or ☐ has been filed in prior application no. _____ / _____.

7. ☐ English Translation Document

☐ is attached or ☐ has been filed in prior application no. _____ / _____.

8. ☐ Preliminary Amendment:

- ☐ A Preliminary Amendment is attached.
- ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee.
- ☐ Please amend the specification by inserting before the first line the sentence:
"This is a ☐ continuation ☐ divisional ☐ continuation-in-part of copending application(s) serial no. _____ / _____ filed on _____.
- ☐ A "Petition to Suspend Prosecution For the Time Necessary to File an Amendment (New Application Filed Concurrently)" is attached.

9. ☐ Information Disclosure Statement, including Form PTO-1449 (_____ sheets) and copies of references cited

10. ☐ An Assignment to _____

- ☐ with accompanying Assignment Recordation Cover Sheet, is attached.
- ☐ was previously recorded on _____ at Reel _____, Frame _____.

11. ☐ Nonpublication Request under 35 USC §122(b)(2)(B)(i)

12. ☐ Other: _____

13. ☒ Return Postcard

14. The power of attorney in the prior application is to: _____ (Reg. No. _____).

- ☐ The power appears in the original papers in the prior application.
- ☐ The power does not appear in the original papers in the prior application, but was filed on: _____
- ☐ A new power has been executed and is attached.

15. Correspondence Address: Please address all future communications to:

Steven L. Oberholtzer, Esq.
BRINKS HOFER GILSON & LIONE
P.O. Box 10395
Chicago, IL 60610
(734) 302-6000

Respectfully submitted,



Steven L. Oberholtzer, Esq. (Reg.No. 30,670)
☒ Attorney/Agent Of Record
☐ 37 C.F.R. 1.34(a)

February 10, 2004
Date

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Olav Borgmeier
Appln. No.: Unknown
Filed: Herewith
For: Magnetically Controlled Pneumatic Spring
Attorney Docket No: 11138-0010

Examiner: Unknown
Art Unit: Unknown

MS PATENT APPLICATION
Commissioner for Patents
U.S. Patent and Trademark Office
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- X Application and Utility Patent Application Transmittal
- X Transmittal Letter
- X Unsigned Declaration/Power of Attorney
- X Twelve (12) Sheets of Drawings
- X Check in the Amount of \$1,060.00
- X Return Receipt Postcard

Fee calculation and payment:

- ☐ No additional fee is required.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

				Small Entity		or	Other Than Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus			x \$9=		x \$18=	
Indep.		Minus			x 43=		x \$86=	
First Presentation of Multiple Dep. Claim					+ \$145=		+ \$290=	
					Total	\$	Total	\$

Fee calculation and payment:

- ☒ A check in the amount of \$1,060.00 to cover the above-identified fee(s) is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925. A copy of this Transmittal is enclosed for this purpose.

Respectfully submitted,

February 10, 2004
Date

Steven L. Oberholtzer
Steven L. Oberholtzer, Esq. (Reg. No. 30,670)
Attorney/Agent for Applicant

EXPRESS MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail (Label No. EV 155783146US), with sufficient postage, in an envelope addressed to: MS Patent Application, Commissioner for Patents, U.S. Patent and Trademark Office, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: February 10, 2004

Name: M. Collins

Signature: *M. Collins*

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